E. Craig Smay #2985 174 E. South Temple Salt Lake City, Utah 84111 Telephone Number (801) 539-8515 Fax Number (801) 539-8544 (Property - 9896 N) Attorney for Plaintiff

IN THE UNITED STATES DISTRICT COURT, DISTRICT OF UTAH, CENTRAL DIVISION

COMMONWEALTH PROPERTY ADVOCATES, LLC.

Plaintiff,

VS.

THE BANK OF NEW YORK MELLON FKA THE BANK OF NEW YORK AS TRUSTEE FOR THE BENEFIT OF THE CERTIFICATEHOLDERS CWABS, INC. ASSET-BACKED CERTIFICATES, SERIES 2007-9, RECONTRUST COMPANY, N.A., MORTGAGE ELECTRONIC REGISTRATION SYSTEMS, INC., AND JOHN DOES OF UNKNOWN NUMBER,

Defendants.

NOTICE OF VOLUNTARY DISMISSAL

Case No. 2:10-CV-33 CW

Judge Clark Waddoups

Notice is hereby given that plaintiff, pursuant to Rule 41(a), F.R.C.P., hereby voluntarily dismisses, without prejudice, the claims herein against unnamed parties designated John Doe.

RESPECTFULLY submitted this 6th day of July, 2010

/s/ E. Craig Smay
E. Craig Smay, Attorney for Plaintiff

CERTIFICATE OF SERVICE

I hereby certify that on July 6, 2010, "NOTICE OF VOLUNTARY DISMISSAL", was electronically filed with the Clerk of the Court using he CM/ECF system which will send notification to all counsel of record registered under the CM/ECF system.

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/s/ E. Craig Smay
E. Craig Smay, Attorney for Plaintiff